

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MIGUEL RIVERA,

PETITIONER,

DECLARATION

-against-

07-Civ-3577 (RMB) (AJP)

ROBERT ERCOLE, Supt.
Green Haven Correctional Fac.

Respondent,

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NEW YORK STATE)
DUTCHESS COUNTY)ss.:

MEMO ENDORSED
P2

TO THE HONORABLE RICHARD M. BERMAN, U.S.D.J.

I, MIGUEL RIVERA, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follow:

I am the petitioner in the above captioned case, and I make this declaration in support of my request for an extension of time to file an objection in response to the Magistrate Judge's Report And Recommendation to Petitioner's Writ of Habeas Corpus.

Today, I am in receipt of the Magistrate Judge's Report And Recommendation to my Writ of Habeas Corpus, dated September 18, 2007. Due to the extensive memorandum of law submitted in the Report And Recommendation, the limited access I have to the prison law library, and my dependency on a law library clerk to help me perfecting my legal argument, I humbly and respectfully request this Honorable Court to grant me an extension of 60 days in order to file a logical and cogent response to the Magistrate Judge's Report And Recommendation, which I received in

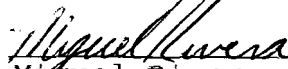
September 25, 2007.

I also ask that the Court decide this request swiftly, and if the Court cannot decide this request that quickly, I ask that it give me a reasonable additional time to file my objection.

I declare under penalty of perjury that the forgoing is true and correct.

DATED: October 1, 2007
Stormville, New York

Respectfully submitted,


Miguel Rivera
Petitioner, Pro-Se


Sworn to before me this

15 day of October 1, 2007


NOTARY PUBLIC

cc.: Magistrate Judge Andrew J. Peck

PATRICIA M. MUNDELL
NOTARY PUBLIC STATE OF NEW YORK
Qualified In ~~Orange~~ County 4782564
My Commission Expires 7/31/2009

Extension granted to	
serve + file any	
objections	
by 12/5/07.	
(FINAL.)	
SO ORDERED	
Date: <u>10/3/07</u>	Richard M. Berman, U.S.D.J.

